



General Assembly

Substitute Bill No. 5059

February Session, 2010

* ____HB05059GAE__041510__ *

AN ACT CONCERNING THE APPOINTMENT OF MUNICIPAL ASSESSORS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2010*) (a) Any town,
2 consolidated town and city or consolidated town and borough may, by
3 town or borough meeting vote, or, in those municipalities in which
4 there is no such meeting, by a two-thirds majority of the members of
5 the legislative body thereof, provide for the appointment of one or
6 more but not more than five assessors. Any such municipality may
7 establish the qualifications and compensation of such assessor or
8 assessors, and may provide for the appointment by the assessor or
9 board of assessors of clerical and other assistance within the limits of
10 the appropriation therefor, provided, if there is more than one
11 assessor, such assessors shall choose one of their number to be
12 chairman of the board of assessors.

13 (b) Any assessor appointed pursuant to subsection (a) of this section
14 shall be sworn to the faithful performance of his or her duties by the
15 clerk of the town.

16 Sec. 2. Section 7-105 of the general statutes is repealed and the
17 following is substituted in lieu thereof (*Effective October 1, 2010*):

18 Each person [elected or] appointed an assessor or elected or

19 appointed a member of the board of assessment appeals or a collector
20 of town taxes in any town shall be sworn before entering upon the
21 duties of the office to which he has been elected or appointed.

22 Sec. 3. Section 9-185 of the general statutes is repealed and the
23 following is substituted in lieu thereof (*Effective October 1, 2010*):

24 Unless otherwise provided by special act or charter, [assessors,]
25 members of boards of assessment appeals, selectmen, town clerks,
26 town treasurers, collectors of taxes, constables, registrars of voters,
27 members of boards of education and library directors shall be elected,
28 provided any town may, by ordinance, provide for the appointment,
29 by its chief executive authority, of (1) a constable or constables in lieu
30 of constables to be elected under section 9-200, or (2) a town clerk,
31 town treasurer or collector of taxes in lieu of the election of such
32 officers as provided in section 9-189. Unless otherwise provided by
33 special act or charter, all other town officers shall be appointed as
34 provided by law and, if no other provision for their appointment is
35 made by law, then [by] (A) by the chief executive officer of such
36 municipality, [or] (B) where the legislative body is a town meeting, by
37 the board of selectmen, or (C) by such other appointing authority as a
38 town may by ordinance provide, and except that, if a board of finance
39 is established under the provisions of section 7-340, the members
40 thereof shall be elected as provided in section 9-202, [and except that
41 assessors may be elected or appointed under the provisions of section
42 9-198.] Any town may, by a vote of its legislative body, determine the
43 number of its officers and prescribe the mode by which they shall be
44 voted for at subsequent elections.

45 Sec. 4. Section 9-199 of the general statutes is repealed and the
46 following is substituted in lieu thereof (*Effective October 1, 2010*):

47 (a) Unless otherwise provided by law, each town shall elect [three
48 assessors and] a board of assessment appeals consisting of three
49 members and shall elect such officers at regular municipal elections for
50 terms of four years. Such [assessors and] members of the board of

51 assessment appeals shall hold office for the term for which they are
 52 elected and until their successors are elected and have qualified. When
 53 the number of [assessors or the number of] members of the board of
 54 assessment appeals to be elected by any town is even, no person shall
 55 vote for more than one-half the number, and when the number to be
 56 elected is odd, no person shall vote for more than a bare majority of the
 57 number, provided the legislative body of any town may provide that
 58 the electors of such town vote for the full number of [assessors or]
 59 members to be elected thereat, any provision of the special acts to the
 60 contrary notwithstanding. The candidates in number sufficient to fill
 61 such offices who have the highest number of votes shall be elected.
 62 Nothing in this section shall be construed to affect the method of
 63 rotation of [assessors or] members of a board of assessment appeals
 64 legally in effect on October 1, 1976.

65 (b) The legislative body of a municipality or, in the case of a
 66 municipality for which the legislative body is a town meeting or a
 67 representative town meeting, the board of selectmen may appoint an
 68 alternate for each member of the board of assessment appeals. Each
 69 alternate member shall be an elector of the municipality. When seated,
 70 an alternate member shall have all the powers and duties of a member
 71 of the board of assessment appeals.

72 (c) Notwithstanding the provisions of subsection (a) of this section
 73 or of any special act, municipal charter or home rule ordinance, a
 74 municipality may, by ordinance, authorize its legislative body to
 75 appoint additional members to the board of assessment appeals for
 76 any assessment year.

77 Sec. 5. Section 9-198 of the general statutes is repealed. (*Effective*
 78 *October 1, 2010*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	New section

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Sec. 2	<i>October 1, 2010</i>	7-105
Sec. 3	<i>October 1, 2010</i>	9-185
Sec. 4	<i>October 1, 2010</i>	9-199
Sec. 5	<i>October 1, 2010</i>	Repealer section

LAB *Joint Favorable Subst.*

PD *Joint Favorable*

GAE *Joint Favorable*